

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Kenny et al.**

Application Serial No.: **Unassigned**

Filed: **July 11, 2001**

For: **AUTOMATIC REFERENCE-
PRESSURE BALANCE METHOD**

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Group Art Unit: **Unassigned**

Examiner: **Unassigned**

Attorney Docket No.: **292609-605002**

Certificate of Mailing Under 37 C.F.R. § 1.10

I hereby certify this correspondence is being deposited with the United States Postal Service as *Express Mail No. EL626923953* in an envelope addressed to: Box CPA, Assistant Commissioner of Patents, Washington, D.C. 20231 on July 11, 2001.

By:

Marsha S. Kappus
Marsha S. Kappus

Box PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

No fees are believed to be necessary at this time.

Prior to examining the present application, please amend the above-identified application as follows:

2001 JUL 11 09 23 AM

IN THE SPECIFICATION:

On page 1, lines 32-4, please delete the paragraph:

"This application is a continuation in part of Patent Application No. 09/137,354, filed August 20, 1998 which claims priority from U.S. Provisional Patent Application No. 60/056,821 filed August 22, 1997."

and enter paragraph:

--This application is a division of Patent Application Serial No. 09/378,881 filed August 23, 1999 which claims priority from U.S. CIP Patent Application No. 09/137,354 filed August 20, 1998 which claims priority from U.S. Provisional Patent Application No. 60/056,821 filed August 22, 1997.--

Respectfully submitted,



Date: July 11, 2001

Rudolph J. Buchel, Jr.
Reg. No. 43,448
Jones, Day, Reavis & Pogue
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Dallas, TX 75266-0623
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Attorney for Applicant

09/03/01 07:10

DIV

PATENT



Anticipated Classification of this application:
Class 073 Subclass 001.630

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Prior application: 09/378,881
Examiner: Raevis, R.
Art Unit: 2856

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

REQUEST FOR FILING OF DIVISIONAL APPLICATION

This is a request for the filing of a divisional application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. **09/378,881**, filed **August 23, 1999** of **Kenney, et al.** for "**Automatic Reference-Pressure Balance Method**".

Enclosed is a copy of the prior application, including the oath or declaration as originally filed.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on this date in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number **EL626923953** addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Marsha Kappas

(Type or print name of person mailing paper)

Marsha S. Kappas

(Signature of person mailing paper)

0990037881-071101

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the oath or declaration originally filed.

The copy of the papers of prior application as filed which are attached are as follows:

9 pages of specification
15 pages of claims
1 page(s) of abstract
3 sheets of drawings
3 pages of declaration and power of attorney

2. Amendments

A preliminary amendment is enclosed.

3. Information Disclosure Statement

An information disclosure statement is submitted herewith. (Check if applicable.)

4. Fee Calculation (37 CFR 1.16)

The filing fee is calculated below:

CLAIMS AS FILED

Number Filed
Number Extra
Rate
Fee

Total Claims:	- 20 =	--	x22.00	.	
Independent Claims:	- 3 =	--	x80.00	.	
Multiple dependent claims			260.00		
Basic Fee:					\$355.00
Total Filing Fee					\$355.00

5. Small Entity Status

A verified statement that this filing is by a small entity has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a))

Filing Fee Calculation (50% of above) \$

6. **Drawings**

Drawings are enclosed
XX formal

7. **Priority -- 35 U.S.C. 119**

Priority of application Serial No. filed on in is claimed
under 35 U.S.C. 119.

The certified copy has been filed in prior U.S. application Serial No. on

The certified copy will follow.

8. **Relate Back -- 35 U.S.C. 120**

XXX Relate back to U.S. Patent Application No. 09/137,354, filed August 20, 1998 filed **August 23, 1999** of **Kenney, et al.** for "**Automatic Reference-Pressure Balance Method**". Amendment to the specification enclosed.

9. **Inventorship Statement**

(a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is/are:

XXX the same

(b) The inventorship for all the claims in this application are:

XXX the same

10. **Assignment**

The prior application is assigned of record to **Globitech, Inc.**

11. **Fee Payment being made at this time**

XX Not Enclosed

XX No filing fee is submitted. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently).

12. **Method of Payment of Fees**

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The power of attorney in the prior application is to: **Rudolph J. Buchel Jr.**
43,448

- Respectfully submitted,

JONES, DAY, REAVIS & POGUE

JONES DAY, RE
Rudolph I. Buchel

Rudolph J. Buchel, Jr.

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ATTORNEYS FOR APPLICANT

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